

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
NORTHERN DIVISION

IN RE: SHANNON BROOKE MOATES

Debtor(s)

#20-30360 SHB  
Chapter 13  
Filed 02/06/2020  
Confirmed 05/18/2020

**NOTICE**

**Notice is hereby given that:**

A hearing will be held on the Chapter 13 Trustee's Motion to Dismiss on **October 18<sup>th</sup>, 2023 at 11:00 a.m.**, in the Courtroom 1C, located at U.S. Bankruptcy Court, Howard H. Baker, Jr. Courthouse, 800 Market St., Knoxville, TN. 37902.

**Your rights may be affected.** You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to grant the relief requested, you or your attorney must attend this hearing. If you do not attend the hearing, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

**TRUSTEE'S MOTION TO DISMISS**

The Chapter 13 Trustee moves to dismiss this case under 11 U.S.C. §1307(c) for the following reason(s):

The confirmed plan provides for plan payments of \$195.00 every two weeks for a period of 60 months. No payments have been made to the Trustee since July 7<sup>th</sup>, 2023.

The Debtor(s) is in material default of the confirmed plan by accruing a plan arrearage in the amount of \$790.00 since the plan was filed. The car creditor is two months behind and the plan is no longer feasible due to the plan arrearages.

The confirmed plan provides for the Debtor to supply the Trustee with a copy of each federal income tax return filed by the Debtor during the pendency of the case and every request for extension of time to file a return, within 14 days of the filing of the return or the mailing of the request. It also provides for net bonuses to be paid into the Chapter 13 plan.

The Debtor(s) is in material default of the confirmed plan by not supplying the Chapter 13 Trustee with a copy of the 2022 tax return and/or request for an extension and failure to pay net bonuses for 2021, 2022 and 2023 (if any) into the plan.

SUBMISSION AND CERTIFICATE OF SERVICE BY CHAPTER 13 TRUSTEE

Based on information and belief, the Chapter 13 Trustee hereby certifies the correctness of the facts contained in this Motion to Dismiss and Notice of Hearing and hereby certifies that a true and exact copy of the same has been serviced by Electronic Case Filing (ECF) and/or first class United States Mail (USM) postage prepaid on the following individuals as addressed below on September 21, 2023.

  
s/Debra L. Miller, Trustee (by en w/perm)

DEBRA L. MILLER, #19656-49 IN

Chapter 13 Trustee

304 Erin Drive, Suite 201

Knoxville, TN 37919

(865) 524-4995

SHANNON BROOKE MOATES, Debtor(s) (USM)  
2525 SEVIER AVENUE  
MARYVILLE, TN. 37804

RICHARD M. MAYER AND/OR JOHN P. NEWTON, JR. (ECF)  
Attorney(s) at Law  
Debtor(s) Attorney

Tiffany Dilorio (ECF)  
U.S. Trustee's Office